

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

KYLE J. BRISTOW,
Plaintiff,

v

Case No. 2:22-cv-12350
Hon. Mark A. Goldsmith
Mag. Judge Elizabeth A. Stafford

ANTHONY G. FORLINI, in his
official capacity as Macomb County
Clerk / Register of Deeds,
Defendant.

Kyle J. Bristow
Plaintiff *In Pro Se*
P.O. Box 46209
Mount Clemens, MI 48046
(248) 838-9934

Frank Krycia (P35383)
Macomb County
Assistant Corporation Counsel
Attorney for Defendant
One S. Main Street, 8th Floor
Mount Clemens, MI 48043
(586) 469-6346
frank.krycia@macombgov.org

Toni L. Harris (P63111)
Charles A. Cavanagh (P79171)
Kathleen A. Halloran (P76453)
Assistant Attorneys General
Attorneys for Intervening Defendant
Michigan Dept. of Attorney General
Health, Education & Family
Services Division
P.O. Box 30758
Lansing, MI 48909
(517) 335-7603
HarrisT19@michigan.gov
cavanaghc2@michigan.gov
hallorank1@michigan.gov

**DEFENDANT ANTHONY G. FORLINI,
MACOMB COUNTY CLERK / REGISTER OF DEEDS',
RESPONSE TO PLAINTIFF'S MOTION TO FILE AN
ADDITIONAL SUPPLEMENTAL DECLARATION**

Defendant Anthony Forlini, the Macomb County Clerk / Register of Deeds,
in response to Plaintiff's motion to file an additional declaration regarding
standing, states:

1. Defendant admits that this Court gave Plaintiff an opportunity to provide a supplemental declaration to attempt to show he has standing, ECF No. 53, and Plaintiff filed his supplemental declaration, ECF No. 54. Plaintiff now seeks to file an additional supplemental declaration. Plaintiff contends that an out of state client cannot get a copy of a divorce complaint prior to service of the complaint because he does not have a credit card. Plaintiff's proposed supplemental declaration, ¶8, ECF No. 56-1, PageID.739. Plaintiff fails to note that he was able to prevail in the first divorce case, Macomb County Circuit Court, Case No. 2022-009690-DO and while the plaintiff spouse in that case filed a new divorce action on March 1, 2023, Macomb County Circuit Court, Case No. 2023-001240-DO, which apparently has not been served yet, the Family Court Judge upheld her ruling in favor of plaintiff on March 13, 2023 in the original case. A copy of the Family Court's ruling is attached as Exhibit A. Plaintiff fails to note that the subject divorce case involves a couple that lived in the State of Washington, and the wife moved to Michigan in 2022 and filed the divorce action in the Sixteenth Circuit Court. The second divorce case is before the same judge and the parties are bound by the March 13, 2023 ruling, so Plaintiff cannot claim injury from Mich. Comp. Laws § 552.6a.

2. While Defendant contends that further pleadings and declarations are unnecessary, he would like the opportunity to file a short response if the Court

allows the proposed supplemental declaration.

3. Defendant acknowledges that Plaintiff has not cited any further legal authority.

WHEREFORE, Defendant Anthony Forlini respectfully requests that this Court deny Plaintiff's motion to file a supplemental declaration and deny a temporary restraining order or preliminary injunction and to dismiss this case as Plaintiff does not have standing to pursue the alleged claim.

Respectfully submitted,

/s/ Frank Krycia
Frank Krycia (P35383)
Assistant Corporation Counsel
Attorney for Defendant
One S. Main Street, 8th Floor
Mount Clemens, MI 48043
(586) 469-6346
frank.krycia@macombgov.org

DATED: March 16, 2023

LOCAL RULE CERTIFICATION: I, Frank Krycia, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts). I also certify that it is the appropriate length. Local Rule 7.1(d)(3).

I hereby certify that on March 16, 2023, I electronically filed the foregoing paper with the Clerk of the Court using the ECF filing system which will forward notification of such filing to the following: all counsel of record.

/s/ Frank Krycia
Frank Krycia (P35383)